

Clearance for Trans-Harbour Link

5798. SHRI MADHUKAR SARPOTDAR : Will the Minister of ENVIRONMENT AND FORESTS be pleased to state :

(a) whether the Government of Maharashtra has sent a proposal of Trans-Harbour Link from Northern Alignment of Sewari to Nhava with the approach road for Central clearance; and

(b) if so, the decision taken by the Government in this regard?

THE MINISTER OF ENVIRONMENT AND FORESTS (PROF. SAIFUDDIN SOZ) : (a) and (b) The proposal for a sea link between Bombay and Nhava Island was referred to this Ministry in 1992. It was conveyed to the State Govt. that year itself that proposal was not considered to be feasible till the Government of Maharashtra took necessary measures to decongest the Island City of Bombay.

Other Backward Classes Certificate

5799. SHRI K. P. NAIDU : Will the Minister of WELFARE be pleased to state:

(a) the guidelines laid down to get OBC Certificate;

(b) whether any time limit has been fixed for processing such requests; and

(c) if not, the reasons therefor?

THE MINISTER OF WELFARE (SHRI BALWANT SINGH RAMOOWALIA) : (a) The guidelines for issuing the OBC Certificate has been circulated to all State Governments/Union Territories as shown in the Statement enclosed.

(b) and (c) No, Sir. Since issuance of OBC Certificate falls under the purview of the respective State Governments and Union Territory Administrations, they are expected to issue these certificates in the shortest possible time after conducting necessary investigations.

Statement

Immediate

No. 36012/22/93-Estt. (SCT)

Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
New Delhi

Dated the 15th Nov. 1993

To

The Chief Secretaries of all the State Governments/Union Territories.

Sub: *Reservation for Other Backward Classes - exclusion of Creamy Layer for the purpose of*

appointment in services and posts under the Government of India - Certificate to be produced by the candidates.

Sir,

I am directed to say that the Government of India has issued instructions on 8.9.93 providing for reservation to Other Backward Classes in the services and posts under the Government of India (A copy of this O.M. is enclosed). The Other Backward Classes for the purpose of the above said reservation would comprise, in the first phase, the castes and communities which are common to both the lists in the report of the Mandal Commission and the State Government's list. A list of such castes and communities was notified in Resolution No. 12011/68/93-BCC(C), dated 10th Sept. 1993 published in the Gazette of India, Extraordinary Part I Section I dated 13.9.93. For the purpose of verification of the castes and communities the Government of India has prescribed a certificate from the following authorities as in the case of SC/ST vide this Department's O.M. No. 36012/22/93-Estt. (SCT), dated 22.10.93 (copy enclosed):

- (a) District Magistrate/Additional District Magistrate/Collector/Deputy Commissioner/Additional Deputy Commissioner/Deputy Collector/1st Class Stipendary Magistrate/Sub-Divisional Magistrate/Taluka Magistrate/Executive Magistrate/Extra Assistant Commissioner (not below the rank of 1st Class Stipendary Magistrate).
- (b) Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Magistrate.
- (c) Revenue Officer not below the rank of Tehsildar; and
- (d) Sub-Divisional Officer of the area where the candidate and/or his family normally resides.

2. In the light of the Supreme Court's judgement in the Indra Sawhney case, this Department has specified the persons/section ("Creamy Layer") to whom the benefit of reservation shall not apply vide column 3 of the Schedule to the Department of Personnel and Training O.M.No. 36012/22/93-Estt. (SCT) dated 8.9.93. It has been considered that the same authorities who are notified as competent to certify OBCs status should also be authorised to certify that a candidate does not belong to the "Creamy Layer". It is, therefore, requested that instructions may be issued to the District Authorities under your control to verify and issue the necessary certificate to the candidates regarding his OBCs status as well as exclusion from the "creamy layer" to enable the District Authorities to examine the claims of the candidates a model format has been devised as in Annexure B. This may be suitably revised if considered necessary. The format of the certificate that may be given by the concerned district authorities may be as in Annexure A.